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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/007,547 | 11/06/2001 | Harry E. Shisler | 18536-06512 | 5438 |

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| EXAMINER | |
|---|---|
| KUPSTAS, TOD A | |
| ART UNIT | PAPER NUMBER |
| 2153 | 2 |

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/007,547 | SHISLER ET AL. | |
| | Examiner | Art Unit | |
| | Tod Kupstas | 2153 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-21 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-7, 9-13, and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dupper et al. (US 5,706,456) in view of Hinks et al (US 5,678,039).

As set forth in claim 1, Dupper discloses a programmable batch engine for a computer, comprising: a design tool subsystem operable on a first computer that creates a set of specifications in response to user input; see col. 3, lines 22-36 (the system provides for a user to easily design a GUI), the set of specifications defining a template for user-desired processing services to be performed (see fig. 2, for an example of a template used); wherein the specifications identify processing properties for said processing services to define the execution of a batch application (the icons on the template define processes); a processing subsystem adapted to perform processing of the batch application according to a user defined version of said template (the processing unit 604); and a middleware subsystem providing communication of the specifications from the design tool subsystem to the processing subsystem (the parts of the system

that enable the communication of the GUI design system to the processing system); also see col. 3, line 22-col. 7, line 9 (these columns provide a general overview of the system).

Dupper does not disclose having the system connected to a network for access through the network by other computer systems. Hinks discloses a system for translating software applications into localized versions for the system. As set forth in claim 3, Hinks discloses an engine wherein the processing subsystem is implemented using a second computer (from the server (the translation table database 340). As set forth in claim 4, Hinks discloses an engine further comprising a second computer, wherein the specifications are sent from the first computer to the second computer for storage, and are sent from the second computer to the processing subsystem for processing; see col. 7, lines 7-52. As set forth in claim 5, Hinks discloses an engine further comprising a network having database facilities and further comprising a database middleware subsystem (the TSHELL 310) adapted to direct access to the database facilities in accordance with the specifications; see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. As set forth in claim 6, Hinks discloses an engine further comprising a network having input-output facilities and further comprising an input-output middleware subsystem (TSHELL 310) adapted to direct access to the input-output facilities in accordance with the specifications; see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. As set forth in claim 7, Hinks discloses an engine wherein said processing subsystem is implemented using a second computer adapted to send to the first computer completion data in response to completion of processing in accordance with the specifications by the second computer (the system in Hinks will send the translated systems to the

client with the processing modifications). An set forth in claim 9, Hinks discloses an engine wherein the input-output middleware subsystem (TSHELL) is adapted to selectively route an input-output data stream to one of a plurality of input-output devices and to convert the stream to a format suitable for the selected one of the plurality of input-output devices (the system translates the application GUI to fit the local system). It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the client definable GUI of Dupper, on a server for access by more than one client, as taught by Hinks. The rationale is as follows: It would have been desirable to have placed the definable GUI on a server. As Hinks teaches the desirability of having a network system for providing translated localized GUIs, one of ordinary skill would have been motivated by Hinks's teaching to have placed the definable GUI system of Dupper in a networked system, thereby having provided access to the modified GUIs to multiple clients.

As set forth in claim 2, Dupper discloses an engine wherein the processing subsystem is implemented using the first computer (element 604).

As set forth in claim 10, Dupper discloses a data processing method, comprising: generating a set of specifications defining a template for user-desired processing services to be performed; see col. 3, lines 22-36 (the system provides for a user to easily design a GUI); identifying processing properties for said processing services to define the execution of a batch application (see fig. 2, for an example of a template used); storing said template (on the system), said template thereby being available; sending said template to a processing subsystem for

processing the batch application according to a user defined version of said template; and sending the results of the processing to the client (the parts of the system that enable the communication of the GUI design system to the processing system); also see col. 3, line 22-col. 7, line 9 (these columns provide a general overview of the system).

Dupper does not disclose having the system connected to a network for access through the network by other computer systems. Hinks discloses a system for translating software applications into localized versions for the system. As set forth in claim 11, Hinks discloses a method further comprising directing access to database facilities in accordance with the specifications by using database middleware (the TSHELL system). As set forth in claim 12, Hinks discloses a method further comprising directing access to database facilities in accordance with the specification by using input-output middleware (the system translates the application GUI to fit the local system); see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. As set forth in claim 13, Hinks discloses a method further comprising sending completion data from the processing subsystem in response to completion of processing in accordance with the specifications by the processing subsystem (sending the translated application back to the user); see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. As set forth in claim 15, Hinks discloses a method further comprising selectively routing, by the input-output middleware, an input-output data stream to one of a plurality of input-output devices and converting the data stream to a format suitable thereto (the translation of the data); see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. It would have been obvious to a person of ordinary skill in the art at the time this

invention was made to have provided the client definable GUI of Dupper, on a server for access by more than one client, as taught by Hinks. The rationale is as follows: It would have been desirable to have placed the definable GUI on a server. As Hinks teaches the desirability of having a network system for providing translated localized GUIs, one of ordinary skill would have been motivated by Hinks's teaching to have placed the definable GUI system of Dupper in a networked system, thereby having provided access to the modified GUIs to multiple clients.

As set forth in claim 16, Dupper discloses a programmable batch processing engine for a processing system, comprising: design tool means for creating a set of specifications on one of the computers defining a template for desired processing services; see col. 3, lines 22-36 (the system provides for a user to easily design a GUI), said specifications identifying processing properties for said processing services to define the execution of a batch application (see fig. 2, for an example of a template used); processing means responsive to said template for processing said batch application in accordance with a user defined version of said template on a further one of the computers; and middleware means for communicating information (the parts of the system that enable the communication of the GUI design system to the processing system); also see col. 3, line 22-col. 7, line 9 (these columns provide a general overview of the system).

Dupper does not disclose having the system connected to a network for access through the network by other computer systems. Hinks discloses a system for translating software applications into localized versions for the system. As set forth in claim 17, Hinks discloses an engine according further including database means (340) for storing data required by said

processing means when executing said batch application on an additional one of the computer; see col. 11, lines 10-67, see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. As set forth in claim 18, Hinks discloses an engine further including output means responsive to completion data generated by said processing of said batch application for managing output information on an additional one of the computers; see col. 11, lines 10-67, see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the client definable GUI of Dupper, on a server for access by more than one client, as taught by Hinks. The rationale is as follows: It would have been desirable to have placed the definable GUI on a server. As Hinks teaches the desirability of having a network system for providing translated localized GUIs, one of ordinary skill would have been motivated by Hinks's teaching to have placed the definable GUI system of Dupper in a networked system, thereby having provided access to the modified GUIs to multiple clients.

As set forth in claim 19, Dupper discloses a method for a processing a batch application on a processing system, comprising: creating a set of specifications on one of the computers defining a template for desired processing services; see col. 3, lines 22-36 (the system provides for a user to easily design a GUI); identifying processing properties for said processing services to define the execution of a batch application (see fig. 2, for an example of a template used); storing said template; processing said batch application in accordance with a user a defined version of said template; and communicating information including said set of specifications (the parts of the

system that enable the communication of the GUI design system to the processing system); also see col. 3, line 22-col. 7, line 9 (these columns provide a general overview of the system).

Dupper does not disclose having the system connected to a network for access through the network by other computer systems. Hinks discloses a system for translating software applications into localized versions for the system. As set forth in claim 20, Hinks discloses a method further including storing data required by said processing means when processing said batch application on an additional one of the computers in response to completion data generated by said processing of said batch application; see col. 11, lines 10-67, see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. As set forth in claim 21, Hinks discloses a method further including managing output information on an additional one of the computers in response to completion data generated by said processing of said batch application; see col. 11, lines 10-67 see col. 7, lines 7-52, and col. 7, line 54-col. 8, line 37. It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the client definable GUI of Dupper, on a server for access by more than one client, as taught by Hinks. The rationale is as follows: It would have been desirable to have placed the definable GUI on a server. As Hinks teaches the desirability of having a network system for providing translated localized GUIs, one of ordinary skill would have been motivated by Hinks's teaching to have placed the definable GUI system of Dupper in a networked system, thereby having provided access to the modified GUIs to multiple clients.

3. Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dupper et al. (US 5,706,456) in view of Hinks et al. (US 5,678,039).

Dupper does not disclose sending an error message in response to a processing error. Official notice is taken to sending an error message in response to a processing error. Sending an error message in response to a processing error is old in the art. Error alerts are a standard response to break downs in computing systems. It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the system of Dupper, with an error message in response to a processing error. The rationale is as follows: It would have been desirable to have indicated to a client when the system breaks down. One of ordinary skill would have been motivated by the need to alert a client when the system falters to have provided the system of Dupper with alert capability, thereby having provided notification of the system's status.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sheffield (US 5,566,330) discloses a method for forming a reusable and modifiable database interface object.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tod Kupstas whose telephone number is (703) 305-2655.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached at (703) 305-4792. The fax phone number for this art unit is (703) 308-7201. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 305-3900.

Tod Kupstas

May 26, 2003